

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 10, 2018

Agenda Item: Madison River Negotiated Rulemaking Appointments (R3)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 60 Minutes

Background:

At the June 14, 2018, meeting, commissioners voted to direct the department to use the Negotiated Rulemaking process (MCA 2-5-101 to 110) to revise the Madison River Recreation Rule as presented to the commission on April 19, 2018. As part of the process, notice was published in the Montana Administrative Register on Sept. 11, indicating the intention to develop these administrative rules using a Negotiated Rulemaking Committee. This committee must consist of people that represent the interests that stand to be impacted by any rules that are developed.

Public Involvement Process & Results:

FWP solicited comments on this process as well as applications for the committee from Sept. 21 to Oct. 22. Forty-nine applications were received and have been reviewed by FWP staff and commissioners. Two comments were received, as well, one recommending that the rules enacted on the Big Hole/Beaverhead be used on the Madison River as well. The second commenter thought that the department should involve member from the previous Citizen's Advisory Committee from several years ago, and felt that the fishing-outfitting community needed to be represented on any committee.

Alternatives and Analysis:

The commission may: 1) approve the list of committee members as proposed by the department, 2) choose different members, using the pool of 49 applicants; or 3) seek more applications before deciding on committee members.

Agency Recommendation & Rationale:

The department feels that the applicants for the committee are inclusive of all interests potentially impacted by any recreation rules on the Madison River. Similarly, the persons recommended here for the committee are inclusive of all impacted interests, specifically non-commercial float and wade anglers, large and small commercial outfitters, non-angling recreationists, and non-angling recreational businesses.

Proposed Motion:

I move to approve the list of committee members for the Madison River Negotiated Rulemaking Committee as presented by the department.